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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DEFENDANTS' SUBMISSION IN
RESPONSE TO ORDER REGARDING
APPOINTMENT OF SPECIAL MASTER
(ECF 2204, ECF 2229)**

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

1 Pursuant to the Court's February 3, 2025, Order Regarding Appointment of Master (ECF No.
2 2204) and the Court's Minute Entry following the February 3, 2025 Status Conference (ECF No.
3 2229), Defendants respectfully submit the following list of potential Special Masters.

4 As stated during the February 3 Status Conference, Defendants believe that a California-
5 experienced jurist would be uniquely well suited for an appointment in this matter, and would benefit
6 all parties. On that basis, Defendants object to the appointment of Judge Barbara S. Jones. In light
7 of Plaintiffs' stated position below, Defendants note that no party objects to the appointment of
8 Judge Laporte.

9 Pursuant to Fed. R. Civ. P. 53(b)(1), Defendants propose for the Court's consideration the
10 below former California federal judges, both of whom have confirmed through their case
11 administrative managers they have availability for the appointment.

- 12 1. Honorable Elizabeth D. Laporte (Ret.). Judge Laporte is an experienced jurist
13 with decades of experience on this Court. Judge Laporte's CV is attached as
14 **Exhibit A.**
- 15 2. Honorable Michael R. Wilner (Ret.). Judge Wilner served as a Magistrate
16 Judge in the Central District of California for 13 years. Judge Wilner's CV is
17 attached as **Exhibit B.**

18 Defendants shared these selections with Plaintiffs prior to this filing. Plaintiffs responded by
19 email requesting that Defendants include the following verbatim statement by Plaintiffs:

20 "Plaintiffs agree to the Court's appointment of Judge Jones, do not intend to submit
21 any additional names, and note that Judge Jones has the qualifications, experience,
22 and availability to fulfill this assignment. Plaintiffs defer to the Court on the
23 appropriate selection, but do not agree with Uber that a California-based jurist is
24 necessary, uniquely qualified or superior for this fact and document-intensive role.
25 Plaintiffs further expressed that they are unable to agree to Mr. Wilner at this time."

1 DATED: February 5, 2025

Respectfully submitted,

2 **SHOOK HARDY & BACON L.L.P.**

3 By: /s/ Michael B. Shortnacy

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